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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,357	02/25/2004	Yuji Kinuzawa	FUJMO 20.952	4863
26304	7590	11/01/2005	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			MILLER, BRANDON J	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	
			2683	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/787,357

Applicant(s)

KINUZAWA ET AL.

Examiner

Brandon J. Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 8-11, 15-18, and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Endo.

Regarding claim 1 Endo teaches a movable radio communication apparatus (see col. 4, lines 40-42). Endo teaches a speaker that outputs sounds and a first housing that accommodates the speaker (see col. 4, lines 42-45 and col. 6, lines 40-43). Endo teaches an antenna part that communicates with an external apparatus; and a second housing coupled to the first housing and foldable relative to the first housing, the second housing accommodating the antenna part (see col. 6, lines 43-48).

Regarding claim 2 Endo teaches an operational part that inputs communication information, wherein the second housing is provided opposite to the operation part with respect to the speaker (see col. 1, lines 5-10 and FIGS. 14-16).

Regarding claim 3 Endo teaches the second housing forming an angle between 90 degrees and 135 degrees relative to the first housing (see col. 7, lines 10-13 and FIG. 15).

Regarding claim 8 Endo teaches a mechanism that flips the second housing (see col. 6, lines 43-46).

Regarding claim 9 Endo teaches a movable radio communication apparatus, wherein the second housing is coupled rotatably to the first housing (see col. 6, lines 43-46 & 62-64). Endo teaches a mechanism that includes a forcing part that applies force to the second housing so as to keep the second housing from the first housing and a fixing part that fixes the second housing onto the first housing (see col. 6, lines 43-46 & 53-56 and FIGS. 14-17). Endo teaches a moving part movable between first and second positions, and forced to return from the second position to the first position (see col. 6, lines 56-58 and FIGS. 15-16). Endo teaches the moving part when located at the second position, releasing a fixation of the second housing by the fixing part and the moving part when located at the first position, enabling the fixing part to fix the second housing (see col. 6, lines 53-58 and col. 7, lines 4-10).

Regarding claim 10 Endo teaches wherein the moving part is provided onto the first housing (see col. 12, lines 43-46 and FIG. 16).

Regarding claim 11 Endo teaches a movable radio communication apparatus (see col. 4, lines 40-42). Endo teaches a speaker that outputs sounds and a first housing that accommodates the speaker (see col. 4, lines 42-45 and col. 6, lines 40-43). Endo teaches an operation part that inputs communication information (see col. 1. lines 5-10 and col. 6, lines 40-43). Endo teaches a second housing, provided opposite to the operation part with respect to the speaker, coupled to the first housing, and foldable relative to the first housing (see col. 6, lines 40-49 and FIGS. 14-16).

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Regarding claim 15 Endo teaches a device as recited in claim 8 and is rejected given the same reasoning as above.

Regarding claim 16 Endo teaches a device as recited in claim 9 and is rejected given the same reasoning as above.

Regarding claim 17 Endo teaches a device as recited in claim 10 and is rejected given the same reasoning as above.

Regarding claim 18 Endo teaches a movable radio communication apparatus (see col. 4, lines 40-42). Endo teaches a speaker that outputs communicatee's voices and a first housing that accommodates the speaker (see col. 4, lines 42-45 and col. 6, lines 40-43). Endo teaches an antenna part that communicates with an external apparatus; and a second housing and movable or displaceable relative to the first housing, the second housing accommodating the antenna part (see col. 6, lines 43-48).

Regarding claim 22 Endo teaches a device as recited in claim 8 and is rejected given the same reasoning as above.

Regarding claim 23 Endo teaches a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 24 Endo teaches a device as recited in claim 10 and is rejected given the same reasoning as above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-7, 12-14, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo in view of Guetre.

Regarding claim 4 Endo teaches a device as recited in claim 1 except for a display that displays communication information. Endo does teach a communication interface located on a first housing facing forward (see col. 1, lines 5-10). Guetre teaches a display that displays communication information (see col. 5, lines 1-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the communication interface in Endo adapt to include a display that displays communication information because a portable or cellular phone can include a display for communication and it would provide a portable wireless device with efficient communication means mounted on a first housing.

Regarding claim 5 Guetre teaches a housing that accommodates a GPS antenna (see paragraph [0034]).

Regarding claim 6 Guetre teaches a housing that accommodates a Bluetooth antenna (see paragraph [0034]).

Regarding claim 7 Guetre teaches a housing that accommodates an image pickup device (see paragraph [0045]).

Regarding claim 12 Endo and Guetre teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 13 Endo and Guetre teach a device as recited in claim 6 and is rejected given the same reasoning as above.

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Regarding claim 14 Endo and Guetre teach a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 19 Endo and Guetre teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 20 Endo and Guetre teach a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 21 Endo and Guetre teach a device as recited in claim 7 and is rejected given the same reasoning as above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zilberberg et al. U.S Patent No. 6,505,036 B2 discloses an apparatus and method for reducing effect of mobile telephone radiation.

MacDonald, Jr. et al. U.S. Patent No. 6,430,400 B1 discloses a detachable flip cover assembly for a portable phone.

Sadler et al. U.S. Patent No. 5,995,052 discloses a flip open antenna for a communication device.

Zax et al. Pub. No.: US 2004/0204199 A1 discloses a hand held communication device with a decoupled antenna.

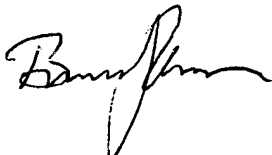
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869.

The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be "Barry".

October 24, 2005

A handwritten signature in black ink, appearing to be "W. Trost".

**WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**